

# **EXHIBIT 13**

# Memo

To: Anita Wilbur  
From: Isaac Stein *IS*  
Date: Thursday, April 28, 2011  
Re: Notice of Investigatory Conference

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Please meet with me on:

Date: Friday, April 29, 2011

Time: 3:00 P.M.

Location: My Office

The purpose of the meeting will be to discuss the following concerns:

1. Allegations of audio taping employees throughout the work day.
2. Unprofessional treatment of current and former staff members.
3. Adherence to established banking practices during Spring Break.

If you are absent on Friday, April 29, 2011, please plan to meet with me the first day after you return.

You are entitled to representation.

Your signature denotes receipt only and not necessarily agreement of content.

*Anita Wilbur*

Anita Wilbur

Date

4/28/11

250-7282

*Isaac Stein*

Isaac Stein

Date

4/28/11

# **EXHIBIT 14**

9998-500021

CLARK COUNTY SCHOOL DISTRICT

CCF-21 (Rev. 12/97) MSWord

**RECORD OF PERSONNEL NOTIFICATION**

Date of Notification: May 19, 2011

Employee: Anita Wilbur Assignment: Principal

Work Location: Academy for Individualized Study (879) Soc. Security #: 000-00-0118

☐ Licensed ☒ Unified ☐ School Police ☐ Support Staff

Page 1 of 1

Specific Nature of Notification: Summary of Conference

On April 29, 2011, an investigatory conference was held. Present at the conference were you, Anita Wilbur, Principal; Mark Coleman, CCASAP Representative; and me, Isaac Stein, Director. During the conference, I brought to your attention the following concerns: Alleged audio taping of district employees throughout the work day; unprofessional treatment of current and former staff members; and adhering to established banking practices during Spring Break 2011.

With regard to the audio taping of employees, you stated that absolutely no employees were or are being audio taped. The only taping utilized was video taping for security purposes. With regard to unprofessional treatment of employees, it was alleged that you were speaking unprofessionally towards employees. Specifically, that you referred to an employee as "numb nuts." Employees felt you behaved unprofessionally by publicly humiliating or berating individuals, although, no specifics were provided. We also discussed that Skype and the AIS InterAct Shared Folder were not being appropriately monitored. You stated you were not aware that it was being utilized inappropriately as it was never brought to your attention by your staff. You also stated that you didn't have the time to monitor it. You were reminded that it is one of your responsibilities as principal.

With respect to banking procedures, it was determined that during Spring Break 2011, monies collected in an amount of almost two thousand dollars (\$2000.00), were not deposited in compliance with Regulation 3210 (IV) (a). Specifically, monies were not deposited in the safe as required.

You are hereby directed to:

1. Ensure compliance with all CCSD policies, regulations and procedures pertaining to surveillance procedures.
2. Treat all staff members professionally and courteously in accordance with District expectations and CCSD policies, regulations and procedures.
3. Ensure that shared electronic communications (Skype and the AIS InterAct Shared Folder) are monitored by you.
4. Comply with banking procedures as required in CCSD Regulation 3210.
5. Ensure that office staff dealing with funds are trained in accordance with procedures and in compliance with Regulation 3210.
6. Do not discuss these allegations with employees or take any retaliatory action against any employee.

Failure to comply with these directions may result in an unsatisfactory appraisal report, admonition and/or suspension, or dismissal.

I will continue to be available to provide supervisory direction and assistance to help you meet these expectations.

Signature of Employee

Date

Signature of Supervising Administrator

- ☐ A response will be made within timelines established by the appropriate negotiated agreement.
- ☐ A response was submitted on \_\_\_\_\_

Date

Signature of Administrator Receiving CCF-9

A signature on this summary does not necessarily mean the employee agrees with the opinions expressed, but merely indicates the employee has received this notice.

DISTRIBUTION: ORIGINAL - Appropriate Assistant Superintendent 1<sup>st</sup> Copy - Supervising Administrator-Work Location File 2<sup>nd</sup> Copy - Employee

# **EXHIBIT 15**

9998-500021

CCF-21 (Rev. 09/09)

# Clark County School District RECORD OF PERSONNEL NOTIFICATION

Employee: Elena Rodriquez Malfavon Date of Notification: 05/26/11  
 Work Location: AISHS #879 Assignment: Coordinator  
 Social Security No. (last 4 digits): 2413  
☐ Licensed ☒ Unified ☐ School Police ☐ Support Staff  
 Specific Nature of Notification: Oral Warning Summary Page 1 of 2

The specific facts upon which this document is based are as follows:

I have personally witnessed the incidents below concerning your performance.

On May 3, 2011 you logged into the AISHS attendance calendar and entered a departure time of 12:12 pm and a return time of 1:00 pm while at site #128 where you were to meet with Mr. Waldron, executive director of the Education Services Division. When I was in the same building, I noticed you still talking with the secretary at 1:15 pm. You never corrected your time on the attendance calendar. To date, the record has still not been corrected.

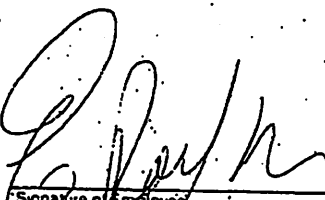
In a disciplinary document you received on December 3, 2009 you were directed to be honest and accurate in your dealings with management.

On February 28, 2011, you were present for a training session on the usage of the time clock by every employee. Everyone, including you, were instructed that March 2011, would be a month of practice implementation, after which, it would be mandatory for all employees to begin using the computerized time clock effective April 1, 2011. You were advised that I would be reviewing the time clock records at the end of April, 2011, to ensure compliance. Only beginning on April 18, 2011 did you begin to use the time clock, 17 days after the mandated start time.

Your supervisory responsibilities were discussed with you upon your arrival at AISHS in August, 2010. In January 2011, I again reviewed with you, your job responsibilities and expectations and yet again in February, 2011. In all that time, your job responsibilities did not change and continues to specifically address support staff supervision, support staff evaluations, front office management, facilities and crisis plan.

On December 3, 2009, you received a disciplinary document in which you were directed to "Comply with all supervisory directives." As one part of your required duties, specifically dealing with the facility, you were assigned responsibility for ensuring that all employees have the required fire keys. In checking, I discovered that no employee had been issued the required fire key which is an extremely serious matter.

I also inspected the "shelter-in-place" bins and materials which had been purchased and which you were directed to distribute, yet you failed to create and distribute the shelter-in-place boxes which is an essential function of your job and as you were directed to do.

 6-22-11  
 Signature of Employee Date  
 Anita Wilbur 05/26/11  
 Print/Type Name of Supervising Administrator Signature Date  
☒ A response will be made within timelines established in the applicable negotiated agreement.  
☒ A response was submitted on 6-23-11  
 Date Signature of Supervising Administrator Receiving Response 6/23/11  
 Date

\*A signature on this summary does not necessarily mean the employee agrees with the opinions expressed, but merely indicates the employee has received this notice.

031 Distribution: Original/White: Area Associate/Division Superintendent, then Chief Human Resources Officer, Human Resources Division  
 2<sup>nd</sup> Copy/Yellow: Supervising Administrator - Work Location File 3<sup>rd</sup> Copy/Pink: Employee

CCSD  
 CLARK COUNTY SCHOOL DISTRICT  
 11000 10000

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(4)

9898-500010

CCF-10 (Rev. 09/09)

Clark County School District  
**PERSONNEL RECORD — CONTINUATION SHEET**

Name: Elena Rodriguez MalfavonSocial Security No. (last 4 digits): 2413CCF- 21Date: 05/26/11Page No. 2 of 2

In February 2011, I met with you to discuss and review support staff concerns and deadlines as these relate to your assigned responsibility for support staff evaluations. I specifically reviewed with you concerns regarding a new employee, the registrar. Based on my observations, the employee was not satisfactorily performing her job duties. Specifically, among other things, she was not following established procedures for electronic imaging and naming conventions on critical documents involving student enrollment and credits. I saw that you had no direct observations addressing this concern. You had to be directed to follow up and to summarize your conference with this employee in writing. You knew that this employee's evaluation was due on April 1, 2011. On April 4, 2011, I asked you why I had not been given a draft of the registrar's evaluation to review. You stated that you did not know it was due, yet in one of your administrative assignments you were responsible for the supervision and evaluation of multiple support staff employees and were well aware of the timelines for issuing evaluations. You issued the evaluation on April 12, 2011, 12 days after it was required to be issued.

In summation, you have failed to perform your assigned duties in a satisfactory manner. You have also failed to comply with previous directives given to you in a manner deemed to be satisfactory.

Failure to improve may result in further discipline, and/or suspension, demotion or dismissal.

I will continue to provide supervisory direction and assistance to help you meet these expectations.

Elena Rodriguez Malfavon 6/23/11  
 Signature of Employee Date

Anita Wilbur

Print/Type Name of Supervising Administrator

Anita Wilbur 06/26/11  
 Signature Date

031 Distribution: Original/White Area Associate/Division Superintendent, then Human Resources Division  
 2<sup>nd</sup> Copy/Yellow Supervising Administrator - Work Location File 3<sup>rd</sup> Copy/Pink Employee

CCSD  
 CLARK COUNTY SCHOOL DISTRICT  
 HUMAN RESOURCES

CCSD000289